

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION**

IN RE:

INTERPHASE CORPORATION

Debtor

Case No. 15-41732

Chapter 7

**TRUSTEE'S APPLICATION TO APPROVE
EMPLOYMENT OF PREMIER PENSION SOLUTIONS, LLC**

NO HEARING WILL BE CONDUCTED ON THIS APPLICATION UNLESS A WRITTEN OBJECTION IS FILED WITH THE CLERK OF THE UNITED STATES BANKRUPTCY COURT AND SERVED UPON THE PARTY FILING THIS PLEADING WITHIN FOURTEEN (14) DAYS FROM DATE OF SERVICE UNLESS THE COURT SHORTENS OR EXTENDS THE TIME FOR FILING SUCH OBJECTION. IF NO OBJECTION IS TIMELY SERVED AND FILED, THIS PLEADING SHALL BE DEEMED TO BE UNOPPOSED, AND THE COURT MAY ENTER AN ORDER GRANTING THE RELIEF SOUGHT. IF AN OBJECTION IS FILED AND SERVED IN A TIMELY MANNER, THE COURT WILL THEREAFTER SET A HEARING. IF YOU FAIL TO APPEAR AT THE HEARING, YOUR OBJECTION MAY BE STRICKEN. THE COURT RESERVES THE RIGHT TO SET A HEARING ON ANY MATTER.

COMES NOW, Mark A. Weisbart, Trustee, files this his Application to Employ Premier Pension Solutions, LLC (the "Application"), and in support hereof, would show the Court as follows:

PROCEDURAL BACKGROUND

1. This case was commenced by the filing of a voluntary petition under Chapter 7 of the Bankruptcy Code on September 30, 2015 (the "Petition Date"). Trustee is the Chapter 7 trustee appointed in the case.

2. Prior to the Petition Date, the Debtor maintained a company 401K retirement plan for its employees (the "Plan"). The Trustee is aware of his obligations under the Bankruptcy Code to administer the Plan under 11 U.S.C. § 704(a)(11).

3. The Trustee wishes to employ Premier Pension Solutions, LLC and in particular Shelly Rhynes (the "Firm") to assist the Trustee in the administration and termination of the Plan. Trustee proposes to pay the Firm at the hourly rate of \$150.00 plus reimbursement of

expenses, subject to further application and approval of the court. The Trustee estimates total expense to complete administration of the Plan to be under \$5,000.00. There are sufficient assets in the estate to pay these expenses. The Trustee requests that he be allowed to advance the Firm up to \$2,000.00 from estate assets without application to the Court.

4. Except as set forth in the Affidavit of Shelly Rhynes, the Firm has no connection with the Debtor, the creditors, any other party-in-interest or their respective attorneys, and accountants, the United States Trustee or any person employed in the Office of the United States Trustee. (See attached Affidavit of Shelly Rhynes). As set forth therein, the Trustee believes the Firm represents no adverse interest to the Trustee or to the bankruptcy estate in the matters for which it is to be engaged and is a disinterested person. *See Talsma*, 2010 Bankr. LEXIS 3285 (Bankr.N.D.Tex. 2010)(interpreting Sections 327(a) and 1107(b)).

5. The Trustee believes the employment of the Firm is necessary to ensure compliance with regulatory reporting requirements and comply with the Trustee's obligations under 11 U.S.C. § 704(a)(11). The Trustee believes employment of the Firm is in the best interest of this estate.

6. The Trustee has previously employed the Firm for the same purpose in other bankruptcy cases.

WHEREFORE, PREMISES CONSIDERED Trustee requests the Court enter an Order approving the Firm pursuant to the Plan Services Agreement.

Respectfully submitted,

/s/ Mark A. Weisbart
Mark A. Weisbart
Texas Bar No. 21102650
THE LAW OFFICE OF MARK A. WEISBART
12770 Coit Road, Suite 541
Dallas, Texas 75251
(972) 628-4903 Phone
(972) 628-4905 Fax
mark@weisbartlaw.net

COUNSEL FOR CHAPTER 7 TRUSTEE

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a copy of the foregoing instrument was served on the parties on the attached mailing list in accordance with LBR 9013(f) either through the Court's electronic notification system as permitted by Appendix 5005 III. E. to the Local Rules of the U.S. Bankruptcy Court for the Eastern District of Texas, or by first class United States Mail, postage prepaid on this the 4th day of October, 2016.

/s/ Mark A. Weisbart
Mark A. Weisbart

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION**

IN RE:

INTERPHASE CORPORATION

Debtor

Case No. 15-41732
Chapter 7

**AFFIDAVIT OF SHELLY RHYNES IN SUPPORT OF TRUSTEE'S APPLICATION
TO APPROVE EMPLOYMENT OF PREMIER PENSION SOLUTIONS, LLC**

STATE OF TEXAS §
 §
COUNTY OF MCLENNAN §

I, Shelly Rhynes, being first duly sworn, under oath, state:

1. “My name is Shelly Rhynes. I am a partner with the firm of Premier Pension Solutions, LLC (the “Firm”) located at 801 Washington Ave, Suite 302, Waco, Texas 76701. I am authorized to execute this Affidavit on behalf of the Firm.

2. This Affidavit is prepared in connection with the Trustee’s Application to Approve Employment of Premier Pension Solutions, LLC, in connection with the administration and termination of the qualified retirement plan for the Debtor. The Trustee seeks authority to employ the Firm as third party administrator of Debtor’s qualified retirement pursuant to 11 U.S.C § 327.

3. The Firm has not been contacted to perform professional services for any of the creditors of the bankruptcy estate.

4. I have determined that the Firm has not performed professional services for any creditors or related entities in matters related to this bankruptcy case, except as set forth herein. The Firm in the ordinary course of its business, may have represented from time to time entities or individuals which are creditors of the Debtor in unrelated matters. Except as set forth herein,

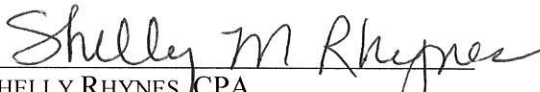
the Firm has no connection with the Debtor, the creditors, any other party-in-interest or their respective attorneys, and accountants, the United States Trustee or any person employed in the Office of the United States Trustee.

5. Based on the foregoing, I believe that the Firm has no adverse interest to the Debtor or to the bankruptcy estate in matters for which it is engaged for the Trustee. I believe that employment of the Firm pursuant to Plan Services Agreement will be in the best interest of this estate. Further, I believe that the Firm has fully complied with the requirements of 11 U.S.C. § 327.

6. I represent that the foregoing constitutes a complete and full disclosure of all prior and current representation of clients which have any connection to this case, and that it has done everything within its power to discover any conflicts. However, I reserve the right to supplement and amend this Affidavit should it discover further information concerning its past and present representation of clients which relates to the Debtor, its creditors and other parties-in-interest, or in any other way is related to this case.

7. The professional services of the Firm will include the filing of tax returns for the Plan and assisting the Trustee with the termination of the Plan and distribution of Plan Proceeds to participants.

8. To the best of my knowledge, the information contained herein is true and accurate.

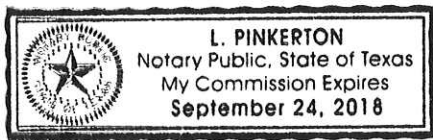

SHELLY RHYNES, CPA
PREMIER PENSION SOLUTIONS, LLC

STATE OF TEXAS §
 §
COUNTY OF MCLENNAN §

BEFORE ME, the undersigned Notary Public, on this day personally appeared Mark A. Weisbart, known to me to be the duly authorized agent for the person whose name is subscribed to the foregoing Affidavit, and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

SUBSCRIBED TO AND SWORN TO BEFORE ME this 30th day of September, 2016.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal.




NOTARY PUBLIC IN AND FOR
THE STATE OF TEXAS

My Commission Expires: September 24, 2018

Label Matrix for local noticing 0540-4 Case 15-41732 Eastern District of Texas Sherman Tue Oct 4 10:43:47 CDT 2016 (p)MICHAEL REED OR LEE GORDON PO BOX 1269 ROUND ROCK TX 78680-1269	Evan R. Baker 1601 Elm Street Suite 3000 Dallas, TX 75201-4757 Laurie Spindler Huffman Linebarger, Goggan, Blair & Sampson 2777 N. Stemmons Frwy Ste 1000 Dallas, TX 75207-2328	Shawn M. Christianson 55 Second St., 17th Fl. San Francisco, CA 94105-3491 Interphase Corporation 4240 International Pkwy Suite 105 Carrollton, TX 75007-1985
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John J. Kane Kane Russell Coleman & Logan PC 1601 Elm St. Suite 3700 Dallas, TX 75201-7207	Holland Neff O'Neil Gardere & Wynne, L.L.P. 3000 Thanksgiving Tower 1601 Elm Street Dallas, TX 75201-4761	Caroline Penninck 1445 Ross Avenue, Suite 3700 Dallas, TX 75202-2755
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George C. Scherer Law Office of Robert Luna, PC 4411 N. Central Expy. Dallas, TX 75205-4210	US Trustee Office of the U.S. Trustee 110 N. College Ave. Suite 300 Tyler, TX 75702-7231	Mark A. Weisbart The Law Office of Mark A. Weisbart 12770 Coit Road, Suite 541 Dallas, TX 75251-1366
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The preferred mailing address (p) above has been substituted for the following entity/entities as so specified by said entity/entities in a Notice of Address filed pursuant to 11 U.S.C. 342(f) and Fed.R.Bank.P. 2002 (g)(4).

Lee Gordon
McCreary Veselka Bragg & Allen, PC
PO Box 1269
Round Rock, TX 78665

The following recipients may be/have been bypassed for notice due to an undeliverable (u) or duplicate (d) address.

(d)Mark A. Weisbart The Law Office of Mark A. Weisbart 12770 Coit Road, Suite 541 Dallas, TX 75251-1366	(d)Mark A. Weisbart The Law Office of Mark A. Weisbart 12770 Coit Road, Suite 541 Dallas, TX 75251-1366	End of Label Matrix Mailable recipients 11 Bypassed recipients 2 Total 13
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